

Notice of Allowability

Application No.

09/596,009

Examiner

Aravind K. Moorthy

Applicant(s)

ELLIOTT, BRIG BARNUM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/19/07.
2. ☒ The allowed claim(s) is/are 1-26 and 32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date see attachment
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. This is in response to the arguments filed on 19 April 2007.
2. Claims 1-26 and 32 are pending in the application.
3. Claims 1-26 and 32 have been allowed.
4. Claims 27-31 and 33-36 have been cancelled.

Response to Arguments

5. Applicant's arguments, see pages 11 and 12, filed 19 April 2007, with respect to claims 1-26 and 32 have been fully considered and are persuasive. The rejection of the claims has been withdrawn.

Allowable Subject Matter

6. Claims 1-26 and 32 are allowed.

The following is an examiner's statement of reasons for allowance:

The current application is directed towards a method of operating a network provided in a communications system for communications among a plurality of routers in the network. The network receives verifiable information identifying at least one compromised router. The method includes a step to excise the compromised router from the network. The method also includes steps to verify that messages transmitted between routers are from non-compromised routers, and to reinstate the compromised router when it becomes non-compromised.

The closest prior art to the current application was Nagami et al U.S. Patent No. 6,683,874 B1 (hereinafter Nagami). Nagami is directed towards a router device and a label switched path control method capable of reducing the number of label switched paths to be set up by using an upstream initiated procedure in which the label allocation starts from an ingress

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router are disclosed. In the router device, a router identification information of a target router to be set as an egress router if possible is stored in an egress router list at a time of setting up a label switched path from the router device as an ingress router, and a control to set up the label switched path to the target router stored in the egress router list is carried out. Then, a label switched path identification information of the label switched path set up according to the control and an address information to be given to packets that are to be transferred by passing through the target router stored in the egress router list, are stored in correspondence in a routing table, and a routing processing for the packets is carried out according to the label switched path identification information and the address information stored in the routing table.

However, Nagami differs from the current application. Eight of the independent claims explicitly recite evaluating (claims 1, 7, 16 and 24), formulating (claims 17 and 22), or authenticating (claims 25 and 26) messages that indicate that a router has become controlled by an untrusted party. Nagami fails to describe a message that includes any such indication. Nagami describes a process for deleting a node or a network from a routing table based on an OSPF message. Nagami does not teach or suggest that the OSPF message, or any other message, indicates that a router has become controlled by an untrusted party. Evaluating, formulating, or authenticating messages that indicate that a router has become controlled by an untrusted party, however is explicit subject matter of independent claims 1, 7, 16 and 24; 17 and 22; and 25 and 26, respectively. Independent claims 32 recites, among other things, code to excise from a network a functioning router that has become controlled by an untrusted party and code to verify that messages transmitted among the plurality of routers are from routers controlled by trusted

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parties. Nagami does not describe code that excises routers that have become controlled by untrusted parties or code for verifying that messages are transmitted by trusted parties.

Any claims not directly addressed are allowed on their virtue of dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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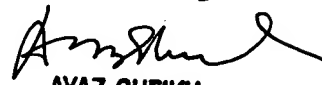
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aravind K Moorthy 
July 1, 2007


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100